THE HON'BLE SRI JUSTICE P.S.NARAYANA

Writ Petition No.21395 of 2006

Date: 13th October, 2006

Between :

Balusu Satyanarayana .. Petitioner

And

The Commissioner, Municipal Corporation, Eluru, West Godavari Dist and 2 others .. Respondents

THE HON'BLE SRI JUSTICE P.S.NARAYANA

Writ Petition No.21395 of 2006

ORDER:-

The matter is coming up for *admission.*

2. Sri Nageshwar Reddy takes notice on behalf of R.1. G.P.for Revenue takes notice on behalf of R.2 and R.3.

3. The Writ Petition is filed for a Writ of Mandamus or any other appropriate Writ and to set aside the impugned notice bearing No. ROC.No.887/2005/G1/35, dated –09-2006 and it is illegal, arbitrary and violation of Articles 14 and 21 of the Constitution of India and consequently to direct the respondents to drop all further proceedings in this regard and to pass such other suitable orders.

4. It is stated that the writ petitioner is the absolute owner of A.C.Sheet Shed and compound wall situated in R.S.No.69, Santhinagar Main Road, Eluru, West Godavari district and the respondents are now proposed to widen the Santinagar Main Road without following the Nizamguda the due process of law. Several other factual details also had been narrated in paras 3 to 5 of the affidavit filed in support of the Writ Petition. It is needless to say that while further proceeding with the demolition activity, the respondents are bound to follow due process

of law. In view of the same, the Writ Petition is disposed of directing the respondents not to proceed with any demolition activity in relation to subject matter of the Writ Petition unless and until they follow due process of law. The Writ Petition is disposed of accordingly. No order as to costs.

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Justice P.S.Narayana

13th October, 2006

Note: Order copy by wire at party's costs

smr